The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, July 1, 2014, in the Goldie Locke Room, 217 North Fifth Street, Garland, Texas, with the following members present:

Mayor Pro Tem Douglas Athas
Jim Cahill

Deputy Mayor Pro Tem Marvin 'Tim' Campbell

Council Member Anita Goebel
Council Member Stephen Stanley
Council Member B. J. Williams
Council Member Billy Mack Williams
Council Member Lori Barnett Dodson

MEMBERS ABSENT: Council Member Scott LeMay

STAFF PRESENT: City Manager William E. Dollar

City Attorney Brad Neighbor City Secretary Lisa Palomba

CALL TO ORDER: Mayor Athas called the meeting to order. Council Member

Dodson led the Invocation and the Pledge of Allegiance.

PROCLAMATIONS: Mayor Athas presented a proclamation to Parks and

Recreation staff members in recognition of Parks and

Recreation Month.

ANNOUNCEMENTS: 1) Mr. Jerry Nichols, representing Dallas County Silver-

Haired Legislature, presented information to Council regarding upcoming Senior Awareness Day; 2) Council Member B.J. Williams announced he will host a "District 4 Town Hall Meeting" on July 8, 2014 at the South Garland Branch Library from 6:30-8:30 p.m.; and 3) City offices will be closed in observance of July 4 holiday; trash and bulky pick-up will remain on schedule; and pools will be open.

CONSENT AGENDA: All items marked with asterisks (**) on the consent agenda

were voted on at the beginning of the meeting. Mayor Athas noted that Consent Item 3 is pulled at the request of Deputy Mayor Pro Tem Campbell. It was also noted that Council Member Billy Mack Williams will abstain from voting on Items 2e and 2f due to a conflict of interest. A motion was made by Council Member Dodson, seconded by Mayor Pro Tem Cahill, to approve item: 1; 2a; 2b; 2c; 2d; 2e; 2f; 4; 5; and 6. A vote was cast and the motion carried with 8 ayes, 0 nays (LeMay, absent) for all items except 2e and 2f from which Council Member Billy Mack Williams abstained from voting.

Items 2e and 2f carried with a vote of 7 ayes, 0 nays. (Billy Mack Williams, abstain) (LeMay, absent)

1. APPROVED**

Minutes of the June 17, 2014 Regular Meeting.

2a. APPROVED**

Bid No. 2715-12 to Cascade Engineering in the amount of \$576,450.00 for the purchase of automated recycling containers for Phase III of the Environmental Waste Services Automated Collection Single Stream Recycling Program.

2b. APPROVED**

Bid No. 4410-14 to Techline, Inc. in the amount of \$468,000.00 for the purchase of luminaries for GP&L's roadway lighting maintenance and repair operations.

2c. APPROVED**

Bid No. 4411-14 to Techline, Inc. in the amount of \$397,125.00 for the purchase of streetlight poles for GP&L's roadway lighting maintenance and repair operations.

2d. APPROVED**

Bid No. 4511-14 to Metro Fire Apparatus Specialists, Inc. in the amount of \$1,755,570.00 for the purchase of three replacement Spartan pumper fire trucks to be used by the Garland Fire Department in daily operations.

2e. APPROVED**

Bid No. 4515-14 to R-Delta Engineers in the amount of \$696,700.00 with an optional contingency amount of \$70,000 for a total award of \$766,700.00 to provide professional engineering services to produce plans, details, and bid documents for the reconstruction of approximately 16 miles of 138kV transmission line.

2f. APPROVED**

Bid No. 4516-14 to R-Delta Engineers in the amount of \$307,570.00 with an optional contingency amount of \$30,000 for total award of \$337,57.00 to provide electrical, structural, and civil engineering services for GP&L Wylie 138kV Switching Station. Additional services may include platting and bid document preparation as well as permitting, review, planning and design coordination.

3. PULLED

Consider and ordinance amending Article IV, "Smoking" of Chapter 22, "Health," of the Code of Ordinances of the City of Garland.

4. APPROVED**

Ordinance No. 6709 amending Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland relating to the schedule of fees listed in Chapter 30, Section 30.301 establishing a \$75 fee for processing certificates of

registration as required by the payday loan ordinance (Ordinance No. 6682) approved by Council on March 18, 2014.

APPROVED**

Ordinance No. 6710 amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland establishing no parking anytime for the north side of Distribution Drive 1,000 feet west of Sanden Drive.

6. APPROVED**

Resolution No. 10151 reappointing Jamie Ratliff, to serve an additional two-year term ending July 18, 2016, to the Board of Directors of the Texas Municipal Power Agency.

ITEMS FOR INDIVIDUAL CONSIDERATION

3. APPROVED

City Attorney Brad Neighbor provided explanation of the proposed ordinance. Deputy Mayor Pro Tem Campbell, seconded, by Council Member Stanley, moved to approve Ordinance No. 6708 amending Article IV, "Smoking" of Chapter 22, "Health," of the Code of Ordinances of the City of Garland. A vote was cast and the motion carried with 8 ayes, 0 nays. (LeMay, absent)

7. APPROVED

Deputy City Manager Martin Glenn provided background information regarding the resolution of support for IH-635 improvement efforts. Mayor Pro Tem Cahill, seconded by Council Member Dodson, moved to approve Resolution No. 10152 supporting the development of the IH-635 East Project (from US-75 to IH-30). A vote was cast and the motion carried with 8 ayes, 0 nays. (LeMay, absent)

8. APPOINTMENTS

The following persons spoke regarding appointment of members to the Board of Directors of the Dallas Area Rapid Transit Authority: Dave Brady in favor of reappointment of Mark Enoch and Michael Cheney; and Thomas Townsend in favor of appointing Tom Cooper.

Council Member Stanley nominated Mark Enoch. A vote was cast and the nomination carried with 8 ayes, 0 nays (LeMay, absent)

Council Member Goebel nominated Michael Cheney for the remaining position.

Deputy Mayor Pro Tem Campbell nominated Jonathan Kelly.

A vote was cast on the nominees. The nominations both failed with 4 ayes, 4 nays each (Athas, Cahill, Goebel, Billy Mack Williams voting in favor or Cheney) and (Dodson, B.J. Williams, Stanley, and Campbell voting in favor of Jonathan Kelly)

A vote was cast once again on the nominations and the nomination of Michael Cheney carried with 6 ayes, 2 nays (Stanley, Campbell). Resolution No. 10153 was adopted.

9a. APPROVED

Mayor Athas recused himself from Items 9a and 9b. Mayor Pro Tem Cahill presided. Director of Planning Anita Russelmann provided background information regarding the application of Zone Systems, Inc. requesting approval of 1) a change in zoning from Planned Development (PD) District 84-50 for Single Family Uses to a Planned Development for Limited General Business Uses, 2) A Specific Use Permit for an Antenna, Commercial Type 2, and 3) variances to Section 10-306.4(B) and 25-441 of the Comprehensive Zoning Ordinance regarding the minimum distance from a freestanding telecommunication antenna to a residential district and the required setback of any structure to any interior property line adjacent to a residential district. The property is located at 5134 Northwest Highway. (File No. 14-18, District 4)

Mayor Pro Tem Cahill opened the public hearing to accept comment. The following persons spoke in favor of the request: Paul Baumgardner and Peter Kavanagh representing the applicant; Juanita Vank representing Farmers Insurance Agency; Thomas Townsend; and Frances Hiner representing New World United Methodist Church. The following persons spoke in opposition of the request: Toni Clayton; Greg Uhrich; Maria Marrero; and Terry Weightman. Mayor Pro Tem Cahill closed the public hearing.

Council Member B.J. Williams, seconded by Council Member Billy Mack Williams, moved to approve the request with the stipulation that the issue of a gap in fencing between the equipment enclosure and the neighboring school property be addressed and remedied in order that no

unauthorized persons may pass between the areas. A vote was cast and the motion carried with 7 ayes, 0 nays (LeMay, absent) (Athas, recused).

9b. APPROVED

Council Member Dodson recused herself from this item. Mayor Pro Tem Cahill continued to preside. Director of Planning Anita Russelmann provided background information regarding the application of Zone Systems Inc. requesting approval of a Specific Use Permit for an Antenna, 2. Commercial Type on property zoned Planned Development (PD) District 93-05 for Shopping Center Uses. The property is located at 2441 West Walnut Street. (File No. 14-21, District 8)

Mayor Pro Tem Cahill opened the public hearing for comment. The following persons spoke: Peter Kavanagh representing the applicant spoke in favor of the request. Maria Marrero spoke in opposition of the request. Mayor Pro Tem Cahill closed the public hearing.

Council Member Billy Mack Williams moved to approve the request. Council Member Goebel seconded the motion. A vote was cast and the motion carried with 6 ayes, 0 nays (LeMay, absent) (Athas and Dodson, recused) Mayor Athas and Council Member Dodson returned to the Dais.

RECESS

Council Members recessed at 9:15.

RECONVENE

Council Members reconvened the meeting at 9:25.

9c. APPROVED

Director of Planning Anita Russelmann provided background information regarding the application of West Pioneer Management, Inc. requesting approval of 1) a change of zoning from General Business (GB) District and Single Family (SF-7) District to a Planned Development (PD) District for Central Area 2 Uses, 2) Concept Plans for Mixed-Uses, and 3) variances to Sections 28-453 and 28-462 to the Comprehensive Zoning Ordinance regarding the required setbacks to any residential district. The property is located at 111 and 217 South Garland Avenue, 1413 West Avenue B, and 1412 and 1413 Rodando Drive. (File 14-23, District 2)

Mayor Athas opened the public hearing to accept comment. Mark Wolfe, representing the applicant, spoke in favor or the request. Marcus Reed spoke in opposition to the request. Mayor Athas closed the public hearing.

Council Member Goebel made a motion, seconded by Council Member Dodson, to approve the request. A vote was cast and the motion carried with 8 ayes, 0 nays. (LeMay, absent)

10. APPOINTMENTS

The following name was placed was placed in nomination for consideration of appointment to the Garland Youth Council: Michael Lambert (District 1). A vote as cast and the nomination carried with 8 ayes, 0 nays. (LeMay, absent)

11. COMMENTS:

The following persons spoke regarding Garland Animal Shelter concerns: Mary Ann Wickersham; Michelle Ferrer; and Lee Lutz. Patricia Wiler spoke regarding the dangers of cell antennas and speed limit on Fifth Street.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 10:06 p.m.

CITY OF GARLAND

Signed:

Douglas Athas, Mayor

ATTEST:

Lisa Palomba, City Secretary